

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

<b>BARBARA A. McINTYRE,</b>	)	
	)	
<b>PLAINTIFF</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL No. 1:14-cv-83-DBH</b>
	)	
<b>AFFILIATED LABORATORY, INC.,</b>	)	
<b>ET AL.,</b>	)	
	)	
<b>DEFENDANTS</b>		

**ORDER ON DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

The defendants' motion for summary judgment is **DENIED**. Upon review of the summary judgment record, I conclude that there is a genuine issue of material fact on whether the plaintiff was, had a record of, or was regarded as, disabled (Count I); and whether there was a causal relationship between her use of FMLA leave and her employment termination (Count II).

**SO ORDERED.**

**DATED THIS 1<sup>ST</sup> DAY OF OCTOBER, 2015**

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/s/ D. BROCK HORNBY  
**D. BROCK HORNBY**  
**UNITED STATES DISTRICT JUDGE**